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Attorneys for Defendants
 SEAMASTER LOGISTICS, INC. and
 TOLL GLOBAL FORWARDING
 (AMERICAS) INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MITSUMI O.S.K. LINES, LTD.,

Plaintiff,

vs.

SEAMASTER LOGISTICS, INC., et al.,

Defendants,

MITSUMI O.S.K. LINES, LTD.,

Plaintiff,

vs.

SEAMASTER LOGISTICS, INC., et al.,

Defendants,

AND RELATED COUNTERCLAIMS.

Case No.: 10 CV 5591 SC
 Case No.: 11 CV 2861 SC
 (Consolidated)

**STIPULATION AND ~~PROPOSED~~
 ORDER APPROVING SUPERSEDEAS
 BOND AND ISSUING STAY**

Plaintiff Mitsui O.S.K. Lines, Ltd. (“MOL”) and defendants SeaMaster Logistics, Inc. and Toll Global Forwarding (Americas) Inc. (together, “Defendants”), through their attorneys, stipulate and request the Court to order that the supersedeas bond attached in the amount of Three Million Five Hundred Seventy Thousand Six Hundred Eighty Three Dollars and No Cents (\$3,570,683.00) is approved, and that upon entry of the Order MOL is stayed from enforcing the

Judgment (including the award of attorney fees, costs, and interest) in its favor in Case No. 11-CV-2861 SC, and Defendants are stayed from enforcing the Judgment (including the award of attorney fees, costs, and interest) in their favor in Case No. 10-CV-5591 SC. Each stay is to remain in effect until the final disposition of the appeal (including all cross appeals) of Case No. 11-CV-2861 SC, which appeal is pending in the U.S. Court of Appeals for the Ninth Circuit. In accordance with Local Rule 65.1-1(b)(1), Aspen American Insurance Company ("Surety") is a corporation authorized by the Secretary of the Treasury of the United States to act as surety on official bonds under 31 U.S.C. §§ 9301-9306.

Dated: June 4, 2014

EMARD DANOFF PORT TAMULSKI & WALOVICH LLP
Eric Danoff
Katharine Essick

By: /s/ Eric Danoff

Eric Danoff
Attorneys for Defendants
SEAMASTER LOGISTICS, INC. and TOLL GLOBAL
FORWARDING (AMERICAS) INC.

Dated: June 4, 2014

FLYNN, DELICH & WISE LLP
Erich P. Wise
Conte C. Cicala

By: /s/ Conte C. Cicala

Conte C. Cicala
Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.

Dated: June 4, 2014

THE DAVID FIRM
Henry S. David
Dana J. Meepos

By: /s/ Henry S. David

Henry S. David
Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.

